

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MEDIA DIGITAL, INC., §
§
Plaintiff, § Civil Action No. _____
vs. §
§
LG ELECTRONICS MOBILECOMM §
U.S.A., NOKIA INC., PALM, § JURY TRIAL DEMANDED
INCORPORATED, SAMSUNG §
TELECOMMUNICATIONS AMERICA, §
L.P. §
§
Defendants. §

COMPLAINT

Plaintiff Media Digital, Inc. (“Media Digital”) brings this action against the Defendants LG Electronics MobileComm U.S.A., Inc. (“LG”), Nokia Inc. (“Nokia”), Palm, Incorporated (“Palm”), and Samsung Telecommunications America , L.P. (“Samsung”), and for its cause of action alleges:

The Parties

1. Media Digital is a corporation organized and existing under the laws of the State of New Hampshire, with its principal place of business at 7 Warren Avenue, Salem, New Hampshire, 03079-1633.

2. Upon information and belief, LG is a corporation organized and existing under the laws of the State of California and is doing business in this judicial district and elsewhere. LG may be served with process by serving its registered agent, CT Corporation System, 350 N. St. Paul Street, Dallas, TX 75201.

3. Upon information and belief, Nokia is a corporation organized and existing under the laws of the State of Delaware and is doing business in this judicial district and elsewhere.

Nokia may be served with process by serving its registered agent, National Registered Agents, Inc., at 1614 Sidney Baker Street, Kerrville, TX 78208.

4. Upon information and belief, Palm is a corporation organized and existing under the laws of the State of Delaware and is doing business in this judicial district and elsewhere. Palm may be served with process by serving its registered agent, Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, DE 19808.

5. Upon information and belief, Samsung is a corporation organized and existing under the laws of the State of Delaware and is doing business in this judicial district and elsewhere. Samsung may be served with process by serving its registered agent, Jeong Han Kimat 1130 Arapaho Road, Richardson, TX 75081.

Jurisdiction and Venue

6. This action arises under the patent laws of the United States, Title 35 United States Code, particularly §§ 271 and 281 and Title 28 United States Code, particularly §1338(a). Venue is proper in this Court under Title 28 United States Code §§ 1391(b) and (c) and 1400(b).

Claim For Patent Infringement

7. On October 31, 2006, United States Patent No. 7,130,778 (“the ‘778 patent”) was duly and legally issued for a “Computer Touch Screen Radio Station Control System”. The ‘778 patent relates generally to touch screen control of audio systems. A copy of the ‘778 patent is attached as Exhibit A and is made a part hereof. By assignment, Plaintiff Media Digital is the owner of the ‘778 patent and at all relevant times has had the right to enforce the ‘778 patent.

8. Upon information and belief, Defendant LG provides mobile telephones incorporating a touch screen and audio playback features, including but not limited to the

Voyager series. By providing such products LG has in the past and continues to infringe directly, by inducement, or by contributing to the infringement of claim 1 of the '778 patent.

9. Upon information and belief, Defendant Nokia provides mobile telephones incorporating a touch screen and audio playback features, including but not limited to the N810 model. By providing such products Nokia has in the past and continues to infringe directly, by inducement, or by contributing to the infringement of claim 1 of the '778 patent.

10. Upon information and belief, Defendant Palm provides mobile telephones incorporating a touch screen and audio playback features, including but not limited to the Treo series. By providing such products Palm has in the past and continues to infringe directly, by inducement, or by contributing to the infringement of claim 1 of the '778 patent.

11. Upon information and belief, Defendant Samsung provides mobile telephones incorporating a touch screen and audio playback features, including but not limited to the F520 model. By providing such products Samsung has in the past and continues to infringe directly, by inducement, or by contributing to the infringement of claim 1 of the '778 patent.

14. As a result of Defendants' infringing conduct, Defendants have damaged Media Digital. The Defendants are liable to Media Digital in an amount that adequately compensates Media Digital for Defendants' infringement, which by law in no event can be less than a reasonable royalty.

15. As a consequence of the Defendants' infringement, Media Digital has been irreparably damaged and such damage will continue without the issuance of an injunction by this Court.

Demand for Jury Trial

16. Media Digital demands a jury trial on all issues triable of right by a jury.

Prayer for Relief

WHEREFORE, FreshLoc prays for entry of judgment:

- A. That claim 1 of U.S. Patent No. 7,130,778 has been infringed by Defendants LG, Nokia, Palm and Samsung, and by others whose infringement has been contributed to and/or induced by Defendants;
- B. That Defendants account for and pay to Media Digital all damages and costs caused by Defendants' activities complained of herein;
- C. That Media Digital be granted pre-judgment and post-judgment interest on the damages caused by reason of Defendants' activities complained of herein;
- D. That Media Digital be granted its attorneys' fees in this action;
- E. That costs be awarded to Media Digital; and
- F. That Media Digital be granted such other and further relief that is just and proper under the circumstances.

October 31, 2008.

/s/ Jonathan T. Suder
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